

From: To: Richard Harpootlian

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LARRY W. PROPES, CLERK
COLUMBIA, S. C.

Entered:

12.12.01

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF SOUTH CAROLINA

AIKEN DIVISION

A. June Mitchell, William Mitchell,
Margaret Baker, and the Estate of Wayne
Baker, Margaret Baker as Personal
Representative, Individually and for all
other persons and entities similarly
situated, J & S. Hudson Construction,
Inc., formerly Hudson Construction, Inc.,
and Jeff Hudson,

Plaintiffs,

v.

Cedar Creek Properties, Inc., Cedar Creek
Realty, Inc., Howard Herbert, Angela
Herbert, William Kolarek, Jr., Mary
Kolarek, David Abney, Mike Caldwell,
Abney Caldwell Builders, Inc., Calvin
Richardson, Richardson Construction,
Inc., Kimberly C. Waters, Aiken Classic
Design, LLC, Donald E. Shaffer, Jr.,
Donnie Shaffer Homes, Inc., Joel D.
Baughman, Baughman Builders, Inc.,
W.G. (Bill) Smith, W.G. Smith
Construction, Inc., H. Michael Brazeal,
Brazeal Construction and Realty, Inc.,
Herbert P. Witter, Jr., Witter
Construction Co., Inc., Todd W. Gaul,
and Designer Builders, Inc.,

Defendants.

Civil Action No. 1:01-2571-22

ORDER OF DISMISSAL
WITHOUT PREJUDICE
FOR CERTAIN DEFENDANTS

The plaintiffs, by and with the consent of the attorneys for the following defendants,
dismiss the following defendants without prejudice: David Abney, Mike Caldwell, Abney Caldwell
Builders, Calvin Richardson, Richardson Construction, Inc., Todd Gaul, Designer Builders, Inc.,

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Kimberly Waters, Aiken Classic Design, LLC, Donald E. Shaffer, Jr., Donnie Shaffer Homes, Inc., Joel Baughman, Baughman Builders, Inc., Herb Witter, Jr. and Witter Construction. The defendants further agree that the statute of limitations will be tolled on the causes of action alleged in the plaintiffs' complaint or first amended complaint from the date the plaintiffs first filed the complaint on June 1, 2001, for a period of one year; provided, however, the statute will not be tolled for any claims which expired before the plaintiffs served their complaint.

AND IT IS SO ORDERED.

Cameron McLaurin Currie

Columbia, South Carolina

December 12, 2001

WE SO MOVE AND CONSENT:

BY: 

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ORMAND LAW FIRM

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Attorneys for Defendants, Baughman Builders, Inc., Joel D. Baughman, W.G. Smith Construction Co., Inc., W. G. Smith, Aiken Classic Design, LLC, and Kimberly C. Waters


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